

Case: 2:23-cv-10759

Assigned To : Parker, Linda V.

Referral Judge: Stafford, Elizabeth A.

Assign. Date : 4/3/2023

Description: CMP JAMES CLARK V

STATE OF MICHIGAN ET AL (SS)

Tebtu Shekem'Kha Bey, In pro per.
PO Box 430186
Pontiac, Michigan [48343]
313.445.6295
milesellaw@gmail.com

**UNITED STATES DISTRICT COURT
EASTERN DIVISION OF MICHIGAN
OFFICE OF THE CLERK
% 231 W LAFAYETTE BLVD
Detroit, MI. USA 48220**

**Tebtu Shekem'Kha Bey
EX REL: JAMES LEE CLARK III**

Counter-Plaintiff,

v.

Defendant,

**STATE OF MICHIGAN
50TH DISTRICT COURT
JUDGE MARTINEZ, MICHAEL C
JUDGE GROSS, RONDA M. FOWLKES**

**STATE OF MICHIGAN
OFFICE OF ATTORNEY GENERAL
DENNIS JAMES, AG**

**STATE OF MICHIGAN
OAKLAND COUNTY
6TH CIRCUIT COURT
FRIEND OF THE COURT
JUDGE LANGSTON LISA
CLERK BROWN LISA**

[EXTRADITION-MATTER]

**STATE OF TEXAS
HOUSTON COUNTY**

Case No.:

**NOTICE OF EMERGENCY EX
PARTE MOTION FOR PERMANENT
INJUNCTION AND/OR TEMPORARY
RESTRAINING ORDER OR (BOTH)
PLAINTIFF/FATHER IS CLAIMING
NON-ASSUMPSIT AND THEREBY
THE PLAINTIFF DID NOT
KNOWINGLY CONSENT TO
ESTABLISH A DUTY OF
OBLIGATION WITH DEFENDANT(S)
THE PLAINTIFF IS CHALLENGING
PERSONAL JURISDICTION AND
REQUIRES PHYSICAL EVIDENCE
SHOWING PROOF OF CLAIM OF
THE PLAINTIFF/FATHER
WILLFULLY VIOLATED A LEGAL DUTY TO
SUPPORT OFFSPRING AND THEREBY THIS
COURT REQUIRED TO GRANT
RELIEF FOR THE DEFENDANT(S)
LACKS SUBJECT MATTER**

**NOTICE OF EMERGENCY EX PARTE MOTION FOR PERMANENT INJUNCTION AND/OR TEMPORARY
RESTRAINING ORDER OR (BOTH) PLAINTIFF/FATHER IS CLAIMING NON-ASSUMPSIT AND THEREBY THE
PLAINTIFF DID NOT KNOWINGLY CONSENT TO ESTABLISH A DUTY OF OBLIGATION WITH
DEFENDANT(S) THE PLAINTIFF IS CHALLENGING PERSONAL JURISDICTION AND REQUIRES PHYSICAL
EVIDENCE SHOWING PROOF OF CLAIM OF THE PLAINTIFF/FATHER WILLFULLY VIOLATED A LEGAL DUTY TO
SUPPORT OFFSPRING AND THEREBY THIS COURT IS REQUIRED TO GRANT RELIEF. FOR THE DEFENDANT(S)
LACKS SUBJECT MATTER JURISDICTION FRCP RULE 9, RULE 10, RULE 60, RULE 65 - 1**

3RD DISTRICT COURT
JUDGE CALHOUN MARK
CLERK GOOLSBY LISA

**JURISDICTION FRCP RULE 9,
RULE 10, RULE 60, RULE 65
FOR CAUSE!!!**

CASE NO: 2022-220289 FY-FY
2021-210446 FY-FY
2010-776431-DP
2003-684929-DP

**EMERGENCY EX PARTE MOTION FOR PERMANENT INJUNCTION
AND/OR TEMPORARY RESTRAINING ORDER OR (BOTH) AGAINST THE
UNCONSTITUTIONAL PROCEEDINGS, ORDERS, WARRANTS, & JUDGMENTS.**

Comes Now, Tebtu Shekem'Kha Bey, Moroccan American National,
Counter-Plaintiff/Father, (hereinafter referred to Plaintiff), ex relation to CLARK JAMES LEE
III (cestui que trust/legal fiction), is a private living man with blood running through his body
and one of the people of the several states unconditionally sovereign within their respective
states¹ and he is presenting this emergency ex parte motion for a temporary restraining order
and/or permanent injunction or (both) on the matter(s) against the Plaintiff pursuant to FRCP
Rule 9, Rule 60, Rule 65; *Minnesota Supreme Court In re Marriage of Sandra Lee Holmberg v.
Ronald Gerald Holmberg* 588 N.W.2d 720 (1999).

¹ "It will be admitted on all hands that with the exception of the powers granted to the states and the federal government, through the Constitutions, the people of the several states are unconditionally sovereign within their respective states." *Ohio Life Ins. & Trust Co. v. Debolt*, 57 US 416 - *Supreme* 1854.
**NOTICE OF EMERGENCY EX PARTE MOTION FOR PERMANENT INJUNCTION AND/OR TEMPORARY
RESTRAINING ORDER OR (BOTH) PLAINTIFF/FATHER IS CLAIMING NON-ASSUMPSIT AND THEREBY THE
PLAINTIFF DID NOT KNOWINGLY CONSENT TO ESTABLISH A DUTY OF OBLIGATION WITH
DEFENDANT(S) THE PLAINTIFF IS CHALLENGING PERSONAL JURISDICTION AND REQUIRES PHYSICAL
EVIDENCE SHOWING PROOF OF CLAIM OF THE PLAINTIFF/FATHER WILLFULLY VIOLATED A LEGAL DUTY TO
SUPPORT OFFSPRING AND THEREBY THIS COURT IS REQUIRED TO GRANT RELIEF. FOR THE DEFENDANT(S)
LACKS SUBJECT MATTER JURISDICTION FRCP RULE 9, RULE 10, RULE 60, RULE 65 - 2**

On the following grounds:

1. On 02/23/2023 The Plaintiff was unlawfully detained on complaint felony and warrant/return under MCL 750.165, as a result of the illegal fraudulent prohibited transaction of SCAO FELONY SET mm200, in violation of the Plaintiff's secured right to Due Process, Procedure Due Process and Substantive Due Process. The Plaintiff is awaiting a scheduled extradition hearing on 04/03/2023 at the STATE OF TEXAS HOUSTON COUNTY 3RD DISTRICT COURT in violation of Plaintiff's secured right to Due Process of Law. *Chrysler Corp v. Unemployment Compensation Commission* 301 Mich. 351 (1942), *Weimer v. Bunbury* 301 Mich. 201 (83 Am. Dec. 728), *Parson v. Russell* 11 Mich. 113. *State Judges, as well as federal, have the responsibility to respect and protect persons from violations of federal constitutional rights. Gross v. State of Illinois*, 312 F 2d 257; (1963).
2. It is a fact, Defendant(s) are in want of jurisdiction, quoting *Altman v. Nelson*, 197 Mich App 467, 472-473 (1992). "[A] judgment entered by a court that lacks subject-matter jurisdiction is void[.]" *Clohset*, 302 Mich App at 561. The Plaintiff is a private² living man with blood flowing through his body and one of the people of the several states and thereby the Defendant(s) cannot obtain personal jurisdiction over a private living man

² **What is PRIVATE?** Affecting or belonging to private individuals, as distinct from the public generally. Not official. <https://thelawdictionary.org/private/>

NOTICE OF EMERGENCY EX PARTE MOTION FOR PERMANENT INJUNCTION AND/OR TEMPORARY RESTRAINING ORDER OR (BOTH) PLAINTIFF/FATHER IS CLAIMING NON-ASSUMPSIT AND THEREBY THE PLAINTIFF DID NOT KNOWINGLY CONSENT TO ESTABLISH A DUTY OF OBLIGATION WITH DEFENDANT(S) THE PLAINTIFF IS CHALLENGING PERSONAL JURISDICTION AND REQUIRES PHYSICAL EVIDENCE SHOWING PROOF OF CLAIM OF THE PLAINTIFF/FATHER WILLFULLY VIOLATED A LEGAL DUTY TO SUPPORT OFFSPRING AND THEREBY THIS COURT IS REQUIRED TO GRANT RELIEF. FOR THE DEFENDANT(S) LACKS SUBJECT MATTER JURISDICTION FRCP RULE 9, RULE 10, RULE 60, RULE 65 - 3

1 who lives outside the territorial boundaries of the State³ defined under 42 USC Section
2 1301.

- 3
- 4 3. It is a fact, the Plaintiff is a private living man with blood flowing through his body and is
5 one of the people of the several states and the Plaintiff is claiming non-assumpsit⁴ that he
6 did not knowingly undertake⁵ or knowingly expressed consent to establish a support
7 obligation⁶ with the state IV-D agency⁷ administering the state plan under 42 USC
8 Section 654(3).⁸
- 9
- 10 4. It is a fact, before this US DISTRICT COURT that the Defendant(s) are without evidence
11 (PROOF OF CLAIM) showing the Plaintiff knowingly expressed consent to establish a
12 support obligation,⁹ and thereby is without personal and subject matter jurisdiction to
13
14
15
16
17

18 ³ 42 USC Section 1301 "State" means any of the several States, the District of Columbia, the
19 Commonwealth of Puerto Rico, the Commonwealth of the Northern Marianas, or any territory or possession of the
20 United States.

21 ⁴ What is **NON ASSUMPSIT**? The general issue in the action of assumpsit; being a plea by which
22 the defendant avers that "he did not undertake" or promise as alleged. <https://thelawdictionary.org/non-assumpsit/>

23 ⁵ What is **UNDERTAKE**? This means to guarantee, to engage in, set about to do, to promise and
24 to perform. <https://thelawdictionary.org/undertake/>

25 ⁶ "**OBLIGATION**" under 42 USC SECTION 666(a)(1)(B) is defined as **Obligation 42 USC §**
26 **1320a-7a(s)** For purposes of subsection (o), the term "obligation" means an established duty, whether or not fixed,
arising from an express or implied contractual, grantor-grantee, or licensor-licensee relationship, for a fee-based or
similar relationship, from statute or regulation, or from the retention of any overpayment.

⁷ **IV-D Agency** "means the single and separate organizational unit in the State that has the
responsibility for administering or supervising the administration of the State plan under title IV-D of the Act." **45**
CFR § 301.1 IV-D <https://www.law.cornell.edu/cfr/text/45/302.34>

⁸ 42 USC Section 654(3) "State plan for child and spousal support provide for the establishment
or designation of a single and separate organizational unit, which meets such staffing and organizational
requirements as the Secretary may by regulation prescribe, within the State to administer the plan;"

⁹ "**OBLIGATION**" under 42 USC SECTION 666(a)(1)(B) is defined as **Obligation 42 USC §**
1320a-7a(s) For purposes of subsection (o), the term "obligation" means an established duty, whether or not fixed,
arising from an express or implied contractual, grantor-grantee, or licensor-licensee relationship, for a fee-based or
similar relationship, from statute or regulation, or from the retention of any overpayment.

**NOTICE OF EMERGENCY EX PARTE MOTION FOR PERMANENT INJUNCTION AND/OR TEMPORARY
RESTRAINING ORDER OR (BOTH) PLAINTIFF/FATHER IS CLAIMING NON-ASSUMPSIT AND THEREBY THE
PLAINTIFF DID NOT KNOWINGLY CONSENT TO ESTABLISH A DUTY OF OBLIGATION WITH
DEFENDANT(S) THE PLAINTIFF IS CHALLENGING PERSONAL JURISDICTION AND REQUIRES PHYSICAL
EVIDENCE SHOWING PROOF OF CLAIM OF THE PLAINTIFF/FATHER WILLFULLY VIOLATED A LEGAL DUTY TO
SUPPORT OFFSPRING AND THEREBY THIS COURT IS REQUIRED TO GRANT RELIEF. FOR THE DEFENDANT(S)
LACKS SUBJECT MATTER JURISDICTION FRCP RULE 9, RULE 10, RULE 60, RULE 65 - 4**

1 issue an order of default¹⁰ or support order.¹¹ *Minnesota Supreme Court In re Marriage of*
 2 *Sandra Lee Holmberg v. Ronald Gerald Holmberg* 588 N.W.2d 720 (1999). Quoting
 3 *Altman v. Nelson*, 197 Mich App 467, 472-473 (1992). “[A] judgment entered by a court
 4 that lacks subject-matter jurisdiction is void[.]” *Clohset*, 302 Mich App at 561. Also
 5 *Clearfield Trust Co v. United States* 318 US 363 (1943).
 6
 7

- 8
 9 5. It is a fact, the Defendant-Respondents must provide evidence (PROOF OF CLAIM) of
 10 personal and subject matter jurisdiction by presenting physical evidence showing there
 11 was a meeting of the minds between the undersigned and the state agency administering
 12 the state plan and the undersigned knowingly consented to establish a support obligation
 13 and without evidence there is no proof the Plaintiff is a debtor or obligor and thereby the
 14 Plaintiff is entitled to said reliefs including but not limited to immediate dismissal of the
 15 matter(s) with prejudice. *Minnesota Supreme Court In re Marriage of Sandra Lee*
 16 *Holmberg v. Ronald Gerald Holmberg* 588 N.W.2d 720 (1999). “[A] judgment entered by
 17 a court that lacks subject-matter jurisdiction is void[.]” *Clohset*, 302 Mich App at 561.
 18
 19
 20
 21
 22
 23

24 ¹⁰ **Default 42 USC § 292q(c)(3)**

25 Definitions For purposes of this subsection: (A) The term “default” means the failure of a
 26 borrower of a loan made under this subpart to— (i) make an installment payment when due; or (ii) comply with any
 other term of the promissory note for such loan, except that a loan made under this subpart shall not be considered to
 be in default if the loan is discharged in bankruptcy or if the school reasonably concludes from written contracts
 with the borrower that the borrower intends to repay the loan.

¹¹ **support order 42 USC § 653(p)**

As used in this part, the term “support order” means a judgment, decree, or order, whether
 temporary, final, or subject to modification, issued by a or an administrative agency of competent jurisdiction, for
 the support and maintenance of a child, including a child who has attained the age of majority under the law of the
 issuing State, or of the parent with whom the child is living, which provides for monetary support, health care,
 arrearages, or reimbursement, and which may include related costs and fees, interest and penalties, income
 withholding, attorneys’ fees, and other relief.

**NOTICE OF EMERGENCY EX PARTE MOTION FOR PERMANENT INJUNCTION AND/OR TEMPORARY
 RESTRAINING ORDER OR (BOTH) PLAINTIFF/FATHER IS CLAIMING NON-ASSUMPSIT AND THEREBY THE
 PLAINTIFF DID NOT KNOWINGLY CONSENT TO ESTABLISH A DUTY OF OBLIGATION WITH
 DEFENDANT(S) THE PLAINTIFF IS CHALLENGING PERSONAL JURISDICTION AND REQUIRES PHYSICAL
 EVIDENCE SHOWING PROOF OF CLAIM OF THE PLAINTIFF/FATHER WILLFULLY VIOLATED A LEGAL DUTY TO
 SUPPORT OFFSPRING AND THEREBY THIS COURT IS REQUIRED TO GRANT RELIEF. FOR THE DEFENDANT(S)
 LACKS SUBJECT MATTER JURISDICTION FRCP RULE 9, RULE 10, RULE 60, RULE 65 - 5**

Michigan Constitution Article 1 section 21; Also *Clearfield Trust Co v. United States* 318 US 363 (1943).

**TAKE NOTICE FORCED LABOR¹² IS A CRIME UNDER 18 USC
SECTION 1589(c)(1) AND PAYMENT OF AN ALLEGED DEBT BY WITHHOLDING
OF INCOME¹³ IS UNLAWFUL UNDER 42 USC SECTION 1994 PEONAGE¹⁴
ABOLISHED**

¹² **Forced labor** 18 U.S. Code § 1589. under subsection (a) Whoever knowingly provides or obtains the labor or services of a person by any one of, or by any combination of, the following means—

(1) by means of force, threats of force, physical restraint, or threats of physical restraint to that person or another person;

(2) by means of serious harm or threats of serious harm to that person or another person;

(3) by means of the abuse or threatened abuse of law or legal process; or

(4) by means of any scheme, plan, or pattern intended to cause the person to believe that, if that person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint,

shall be punished as provided under subsection (d).

(c)(1) The term “*abuse or threatened abuse of law or legal process*” means the use or threatened use of a law or legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law was not designed, in order to exert pressure on another person to cause that person to take some action or refrain from taking some action.

¹³ **42 USC § 666(b)(8) Income**

(8) For purposes of subsection (a) and this subsection, the term “income” means any periodic form of payment due to an individual, regardless of source, including wages, salaries, commissions, bonuses, worker’s compensation, disability, payments pursuant to a pension or retirement program, and interest.

¹⁴ **What is PEONAGE?**

The state or condition of a peou as above defined; a condition of en- forced servitude, by which the servitor is restrained of his liberty and compelled to labor in liquidation of some debt or obligation, real or pretended, against his will. Peonage Cases (D. C.) 123 Fed. 071; In re Lewis (C. C.) 114 Fed. 903 ; U. S. v. McClellan (D. C.) 127 Fed. 971; Rev. St. U. S.

NOTICE OF EMERGENCY EX PARTE MOTION FOR PERMANENT INJUNCTION AND/OR TEMPORARY RESTRAINING ORDER OR (BOTH) PLAINTIFF/FATHER IS CLAIMING NON-ASSUMPSIT AND THEREBY THE PLAINTIFF DID NOT KNOWINGLY CONSENT TO ESTABLISH A DUTY OF OBLIGATION WITH DEFENDANT(S) THE PLAINTIFF IS CHALLENGING PERSONAL JURISDICTION AND REQUIRES PHYSICAL EVIDENCE SHOWING PROOF OF CLAIM OF THE PLAINTIFF/FATHER WILLFULLY VIOLATED A LEGAL DUTY TO SUPPORT OFFSPRING AND THEREBY THIS COURT IS REQUIRED TO GRANT RELIEF. FOR THE DEFENDANT(S) LACKS SUBJECT MATTER JURISDICTION FRCP RULE 9, RULE 10, RULE 60, RULE 65 - 6

1. Take notice when one of the people of the several states is forced without consent to participate in an unconstitutional legal process,¹⁵ and that any and all writs, orders, summons, or other similar process in the nature of garnishment are null and void under 42 U.S. Code § 1994 Peonage abolished and **I, Tebtu Shekem’Kha Bey, Plaintiff do not accept this offer to contract with Defendant and I, Tebtu Shekem’Kha Bey, Plaintiff do not consent to these unconstitutional proceedings.** *Minnesota Supreme Court In re Marriage of Sandra Lee Holmberg v. Ronald Gerald Holmberg* 588 N.W.2d 720 (1999); *in violation of Article 6 CUSA 1791. “Any judge [or officer of the government] who does not comply with his oath to the Constitution of the United States wars against that Constitution and engages in acts in violation of the supreme law of the land. The judge is engaged in acts of treason.” Cooper v. Aaron, 358 U.S. 1, 78 S. Ct. 1401 (1958).*
2. Take notice that forced labor is a crime under 18 USC section 1589(c)(1) and **I, Tebtu Shekem’Kha Bey, Plaintiff, do not accept this offer to contract and I Tebtu Shekem’Kha Bey do not consent to these unconstitutional proceedings.** *Minnesota Supreme Court In re Marriage of Sandra Lee Holmberg v. Ronald Gerald Holmberg* 588 N.W.2d 720 (1999). *Quoting Altman v. Nelson, 197 Mich App 467, 472-473 (1992).* “[A] judgment entered by a court that lacks subject-matter jurisdiction is void[.]” *Clohset*, 302 Mich App at 561.

¹⁵ **42 USC § 659(i)(5)** The term “legal process” means any writ, order, summons, or other similar process in the nature of garnishment— (A) which is issued by— (i) a court or an administrative agency of competent jurisdiction in any State, territory, or possession of the United States;

NOTICE OF EMERGENCY EX PARTE MOTION FOR PERMANENT INJUNCTION AND/OR TEMPORARY RESTRAINING ORDER OR (BOTH) PLAINTIFF/FATHER IS CLAIMING NON-ASSUMPSIT AND THEREBY THE PLAINTIFF DID NOT KNOWINGLY CONSENT TO ESTABLISH A DUTY OF OBLIGATION WITH DEFENDANT(S) THE PLAINTIFF IS CHALLENGING PERSONAL JURISDICTION AND REQUIRES PHYSICAL EVIDENCE SHOWING PROOF OF CLAIM OF THE PLAINTIFF/FATHER WILLFULLY VIOLATED A LEGAL DUTY TO SUPPORT OFFSPRING AND THEREBY THIS COURT IS REQUIRED TO GRANT RELIEF. FOR THE DEFENDANT(S) LACKS SUBJECT MATTER JURISDICTION FRCP RULE 9, RULE 10, RULE 60, RULE 65 - 7

1 3. Take notice that without the knowing consent of Plaintiff by the Defendant-Respondents
 2 are the administrator of unconstitutional legal process is knowingly committing the crime
 3 of forced labor under 18 USC section 1589(c)(1); 18 USC 1581-1584 by exerting
 4 pressure to cause the Plaintiff to work and repay an alleged debt by forced labor and I,
 5 **Tebtu Shekem’Kha Bey, Plaintiff do not accept this offer to contract. I, Tebtu**
 6 **Shekem’Kha Bey, do not consent to these unconstitutional proceedings.** *Minnesota*
 7 *Supreme Court In re Marriage of Sandra Lee Holmberg v. Ronald Gerald Holmberg 588*
 8 *N.W.2d 720 (1999).* Quoting *Altman v. Nelson*, 197 Mich App 467, 472-473 (1992). “[A]
 9 judgment entered by a court that lacks subject-matter jurisdiction is void[.]” *Clohset*, 302
 10 Mich App at 561.

11 4. Take Notice. On 02/23/2023 the Plaintiff was forced into peonage by forced indentured
 12 servitude under the color of law in violation of his civil rights protected by 18 USC 242
 13 et seq., at \$1,600,000.00 USD (in lieu of lawful money or property of equal value) per
 14 day each day held to recoup damages from the unconstitutional detainment TRAZEVANT
 15 v. City of Tampa, 741 F 2d 336 (1984), depriving Plaintiff of his secured right to due
 16 process of law and absent of probable cause in violation of the 1st, 4th, 5th, 6th, 9th,
 17 10th, 14th Amendment protections (in Breach of Trust). **I, Tebtu Shekem’Kha Bey,**
 18 **Plaintiff do not accept this offer to contract with Defendant(s). I, Tebtu Shekem’Kha**
 19 **Bey, Plaintiff do not consent to these unconstitutional proceedings.** *Minnesota*
 20 *Supreme Court In re Marriage of Sandra Lee Holmberg v. Ronald Gerald Holmberg 588*
 21 *N.W.2d 720 (1999).* Quoting *Altman v. Nelson*, 197 Mich App 467, 472-473 (1992). “[A]

22 NOTICE OF EMERGENCY EX PARTE MOTION FOR PERMANENT INJUNCTION AND/OR TEMPORARY
 23 RESTRAINING ORDER OR (BOTH) PLAINTIFF/FATHER IS CLAIMING NON-ASSUMPSIT AND THEREBY THE
 24 PLAINTIFF DID NOT KNOWINGLY CONSENT TO ESTABLISH A DUTY OF OBLIGATION WITH
 25 DEFENDANT(S) THE PLAINTIFF IS CHALLENGING PERSONAL JURISDICTION AND REQUIRES PHYSICAL
 26 EVIDENCE SHOWING PROOF OF CLAIM OF THE PLAINTIFF/FATHER WILLFULLY VIOLATED A LEGAL DUTY TO
 SUPPORT OFFSPRING AND THEREBY THIS COURT IS REQUIRED TO GRANT RELIEF. FOR THE DEFENDANT(S)
 LACKS SUBJECT MATTER JURISDICTION FRCP RULE 9, RULE 10, RULE 60, RULE 65 - 8

judgment entered by a court that lacks subject-matter jurisdiction is void[.]” *Clohset*, 302 Mich App at 561.

5. Take notice the Plaintiff cannot work due to being unconstitutionally detained on 02/23/2023 by Crockett Police Dept in accord with paragraph 1 for allegedly violating an support order created by unconstitutional [l]egal process without consent in violation of Plaintiff’s secured right to Due Process of Law. *Plaintiff has not been served with any warrant, Affidavit in support of Warrant, Complaint/Return and any other attachments. Minnesota Supreme Court In re Marriage of Sandra Lee Holmberg v. Ronald Gerald Holmberg 588 N.W.2d 720 (1999). I, Tebtu Shekem’Kha Bey, Plaintiff do not accept this offer to contract with Defendants. I, Tebtu Shekem’Kha Bey, Plaintiff do not consent to these unconstitutional proceedings. Minnesota Supreme Court In re Marriage of Sandra Lee Holmberg v. Ronald Gerald Holmberg 588 N.W.2d 720 (1999). Quoting Altman v. Nelson, 197 Mich App 467, 472-473 (1992). “[A] judgment entered by a court that lacks subject-matter jurisdiction is void[.]” Clohset, 302 Mich App at 561.*

6. Take notice that without evidence of the Plaintiff expressed consent shown by his wet-inked signature on a loan or acceptance of service agreement, then he cannot be forced to appear and participate in an illegal fraudulent prohibited transaction of the SCAO MM200 Felony Set mm200, MRPC Rule 3.8(a)(b)(c). **I, Tebtu Shekem’Kha Bey, Plaintiff do not accept this offer to contract with Defendant(s) and I, Tebtu Shekem’Kha Bey, Plaintiff do not consent to these unconstitutional proceedings.**

Minnesota Supreme Court In re Marriage of Sandra Lee Holmberg v. Ronald Gerald

NOTICE OF EMERGENCY EX PARTE MOTION FOR PERMANENT INJUNCTION AND/OR TEMPORARY RESTRAINING ORDER OR (BOTH) PLAINTIFF/FATHER IS CLAIMING NON-ASSUMPSIT AND THEREBY THE PLAINTIFF DID NOT KNOWINGLY CONSENT TO ESTABLISH A DUTY OF OBLIGATION WITH DEFENDANT(S) THE PLAINTIFF IS CHALLENGING PERSONAL JURISDICTION AND REQUIRES PHYSICAL EVIDENCE SHOWING PROOF OF CLAIM OF THE PLAINTIFF/FATHER WILLFULLY VIOLATED A LEGAL DUTY TO SUPPORT OFFSPRING AND THEREBY THIS COURT IS REQUIRED TO GRANT RELIEF. FOR THE DEFENDANT(S) LACKS SUBJECT MATTER JURISDICTION FRCP RULE 9, RULE 10, RULE 60, RULE 65 - 9

1 *Holmberg* 588 N.W.2d 720 (1999). Quoting *Altman v. Nelson*, 197 Mich App 467,
 2 472-473 (1992). “[A] judgment entered by a court that lacks subject-matter jurisdiction is
 3 void[.]” *Clohset*, 302 Mich App at 561.
 4
 5
 6

7 **FACTS SUPPORT THE DEFENDANT(S) LACKS SUBJECT MATTER**
 8 **JURISDICTION. PLAINTIFF IS ENTITLED TO THE SAID RELIEF.**
 9

- 10
 11
 12 1. The Plaintiff is citing a Supreme Court case law *Ohio Life Ins. & Trust Co. v. Debolt*, 57
 13 US 416 (1854) and thereby this court cannot call the Plaintiff a sovereign citizen and
 14 dismiss this emergency ex parte motion for permanent injunction and/or temporary
 15 restraining order or (both) against the unconstitutional proceedings pursuant to FRCP
 16 Rule 9, Rule 60, Rule 65; 4th, 5th, 6th, 9th, 10th, 14 Amendment “Due Process of Law”.
 17
 18
 19 2. Take Judicial Notice. The Plaintiff is without knowledge, information or belief to form
 20 the truth of the matter and on these bases deny the allegations with prejudice. It is an
 21 adjudicated fact by the Supreme Court in the matter of *Ohio Life Ins. & Trust Co. v.*
 22 *Debolt*, 57 US 416 - Supreme Court 1854 “the people of the several states are
 23 unconditionally sovereign within their respective states.” and thereby this court lacks
 24 personal jurisdiction over the Plaintiff, who is unconditionally sovereign within this state
 25 and without his consent or evidence (PROOF OF CLAIM) of an injured party the court
 26 lacks personal jurisdiction. The Plaintiff is entitled to the said relief(s). *Minnesota*

**NOTICE OF EMERGENCY EX PARTE MOTION FOR PERMANENT INJUNCTION AND/OR TEMPORARY
 RESTRAINING ORDER OR (BOTH) PLAINTIFF/FATHER IS CLAIMING NON-ASSUMPSIT AND THEREBY THE
 PLAINTIFF DID NOT KNOWINGLY CONSENT TO ESTABLISH A DUTY OF OBLIGATION WITH
 DEFENDANT(S) THE PLAINTIFF IS CHALLENGING PERSONAL JURISDICTION AND REQUIRES PHYSICAL
 EVIDENCE SHOWING PROOF OF CLAIM OF THE PLAINTIFF/FATHER WILLFULLY VIOLATED A LEGAL DUTY TO
 SUPPORT OFFSPRING AND THEREBY THIS COURT IS REQUIRED TO GRANT RELIEF. FOR THE DEFENDANT(S)
 LACKS SUBJECT MATTER JURISDICTION FRCP RULE 9, RULE 10, RULE 60, RULE 65 - 10**

Supreme Court In re Marriage of Sandra Lee Holmberg v. Ronald Gerald Holmberg 588 N.W.2d 720 (1999). Quoting *Altman v. Nelson*, 197 Mich App 467, 472-473 (1992). “[A] judgment entered by a court that lacks subject-matter jurisdiction is void[.]” *Clohset*, 302 Mich App at 561; *Marbury v. Madison*, 5 U.S. 137 (1803).

3. It is a fact the Plaintiff is a private living man with blood running through his body and one of the people of the several states unconditionally sovereign within their respective states¹⁶ and thereby without evidence (PROOF OF CLAIM) of an injured party and without evidence showing the defendant acted willfully in violating a known legal duty in this court lacks personal/subject-matter jurisdiction. The Plaintiff is entitled to the said reliefs.
4. The Plaintiff is a private living man with blood flowing through his body and one of the people of the several states, unconditionally sovereign within the territorial boundaries of this Republic State of Texas and thereby without the consent by the Plaintiff, the Defendant-Respondents are prohibited to presume that the Plaintiff is a person¹⁷ who must participate in colorable legal process,¹⁸ quasi-judicial proceedings,¹⁹ or expedited

¹⁶ "It will be admitted on all hands that with the exception of the powers granted to the states and the federal government, through the Constitutions, the people of the several states are unconditionally sovereign within their respective states." *Ohio Life Ins. & Trust Co. v. Debolt*, 57 US 416 - Supreme 1854.

¹⁷ 42 USC § 1301(a)(3) The term "person" means an individual, a trust or estate, a partnership, or a corporation.

¹⁸ 42 USC § 659(i)(5) The term "legal process" means any writ, order, summons, or other similar process in the nature of garnishment— (A) which is issued by— (i) a or an administrative agency of competent jurisdiction in any State, territory, or possession of the United States;

¹⁹ **Quasi-judicial Definition** 1) A proceeding conducted by an administrative or executive official that is similar to a proceeding, e.g. a hearing. A may review a decision arising from a quasi-judicial proceeding. 2) A judicial act performed by an official who is either not a judge or not acting in his or her capacity as a judge. **NOTICE OF EMERGENCY EX PARTE MOTION FOR PERMANENT INJUNCTION AND/OR TEMPORARY RESTRAINING ORDER OR (BOTH) PLAINTIFF/FATHER IS CLAIMING NON-ASSUMPSIT AND THEREBY THE PLAINTIFF DID NOT KNOWINGLY CONSENT TO ESTABLISH A DUTY OF OBLIGATION WITH DEFENDANT(S) THE PLAINTIFF IS CHALLENGING PERSONAL JURISDICTION AND REQUIRES PHYSICAL EVIDENCE SHOWING PROOF OF CLAIM OF THE PLAINTIFF/FATHER WILLFULLY VIOLATED A LEGAL DUTY TO SUPPORT OFFSPRING AND THEREBY THIS COURT IS REQUIRED TO GRANT RELIEF. FOR THE DEFENDANT(S) LACKS SUBJECT MATTER JURISDICTION FRCP RULE 9, RULE 10, RULE 60, RULE 65 - 11**

processes 45 CFR 303.101(c)(2).²⁰ See *Minnesota Supreme Court In re Marriage of Sandra Lee Holmberg v. Ronald Gerald Holmberg* 588 N.W.2d 720 (1999).

5. It is a fact the undersigned is one of the people of the several states living within the territorial boundaries of the Republic state of Texas and thereby this fact is proof that the Plaintiff is not living within the territorial boundaries of the term State²¹ defined under 42 USC Section 1301 and thereby without personal jurisdiction the Plaintiff cannot be subject to child support enforcement under 42 USC Section 651-669(b). Plaintiff is entitled to the said Relief(s). *Minnesota Supreme Court In re Marriage of Sandra Lee Holmberg v. Ronald Gerald Holmberg* 588 N.W.2d 720 (1999); *Marbury v. Madison*, 5 U.S. 137 (1803); *LLOYD V. LOEFFLER*, 518 F.Supp 720;

6. It is a fact the Plaintiff did not have a meeting of the minds or sign a Bond²² with the state IV-D agency²³ administering child support enforcement thereby without a contract the

²⁰ **§ 303.101 Expedited processes** (c) Safeguards. Under expedited processes: (2) The due process rights of the parties involved must be protected;

²¹ 42 USC Section 1301 “State” means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Marianas, or any territory or possession of the United States.

²² What is BOND, N? A contract by specialty to pay a certain sum of money; being a deed or instrument under seal, by which the maker or obligor promises, and thereto binds himself, his heirs, executors, and administrators, to pay a designated sum of money to another; usually with a clause to the effect that upon performance of a certain condition (as to pay another and smaller sum) the obligation shall be void. U. S. v. Rundle. 100 Fed. 403, 40 C. C. A. 450; Turck v. Mining Co.. 8 Colo. 113. 5 Pac. 838; Boyd v. Boyd. 2 Nott & McC. (S. C.) 126. The word “bond” shall embrace every written undertaking for the payment of money or acknowledgment of being bound for money, conditioned to be void on the performance of any duty, or the occurrence of anything therein expressed, and subscribed and delivered by the party making it, to take effect as his obligation, whether it be sealed or unsealed; and, when a bond is required by law, an undertaking in writing without seal shall be sufficient. Rev. Code Miss. 1880, <https://thelawdictionary.org/bond-n/>

²³ **IV-D Agency** “means the single and separate organizational unit in the State that has the responsibility for administering or supervising the administration of the State plan under title IV-D of the Act.” **45 CFR § 301.1 IV-D** <https://www.law.cornell.edu/cfr/text/45/302.34>
NOTICE OF EMERGENCY EX PARTE MOTION FOR PERMANENT INJUNCTION AND/OR TEMPORARY RESTRAINING ORDER OR (BOTH) PLAINTIFF/FATHER IS CLAIMING NON-ASSUMPSIT AND THEREBY THE PLAINTIFF DID NOT KNOWINGLY CONSENT TO ESTABLISH A DUTY OF OBLIGATION WITH DEFENDANT(S) THE PLAINTIFF IS CHALLENGING PERSONAL JURISDICTION AND REQUIRES PHYSICAL EVIDENCE SHOWING PROOF OF CLAIM OF THE PLAINTIFF/FATHER WILLFULLY VIOLATED A LEGAL DUTY TO SUPPORT OFFSPRING AND THEREBY THIS COURT IS REQUIRED TO GRANT RELIEF. FOR THE DEFENDANT(S) LACKS SUBJECT MATTER JURISDICTION FRCP RULE 9, RULE 10, RULE 60, RULE 65 - 12

1 Plaintiff cannot be called an obligor or a debtor,²⁴ and without evidence of a Bond the
 2 Plaintiff is entitled to the said Relief. *LLOYD V. LOEFFLER*, 518 F.Supp 720. The
 3 Defendant-Respondent(s) must provide evidence (PROOF OF CLAIM) to rebut this fact
 4 or the fact stands as a rebutted fact and thereby the matter(s) must be canceled
 5 immediately without terms by this court or any of the before mentioned Relief(s).
 6
 7 *Clearfield Trust Co. v. United States*, 318 U.S. 363 (1943); *LLOYD V. LOEFFLER*,
 8 518 F.Supp 720; *FENSLAGE V. DAWKINS*, 629 F.2d 1107.

9
10
11
12
13 **DEFENDANT-RESPONDENTS ARE IN WANT OF PROOF OF CLAIM**
14
15 **OF STANDING.**

16
17 **PLAINTIFF PRAYER FOR RELIEF.**

18
19 **PLAINTIFF IS ENTITLED TO THE FOLLOWING RELIEF(S):**

- 20
21
22
23 1. Plaintiff moves the court to issue a court order for Permanent Injunctions and/or
24 Temporary Restraining Order or (both) against the unconstitutional proceedings,
25 orders, warrants, and judgments against the Plaintiff pursuant to 28 USC 1330,
26 1332, 1651, 2283, 2461, 2463, et al; Article 1 sec. 10 "Obligations of Contract",
Article 3 sec 2, Article 6 of the CUSA 1787.

²⁴ 28 U.S. Code § 3002 - Definitions (4) "Debtor" means a person who is liable for a debt or against whom there is a claim for a debt.

NOTICE OF EMERGENCY EX PARTE MOTION FOR PERMANENT INJUNCTION AND/OR TEMPORARY RESTRAINING ORDER OR (BOTH) PLAINTIFF/FATHER IS CLAIMING NON-ASSUMPSIT AND THEREBY THE PLAINTIFF DID NOT KNOWINGLY CONSENT TO ESTABLISH A DUTY OF OBLIGATION WITH DEFENDANT(S) THE PLAINTIFF IS CHALLENGING PERSONAL JURISDICTION AND REQUIRES PHYSICAL EVIDENCE SHOWING PROOF OF CLAIM OF THE PLAINTIFF/FATHER WILLFULLY VIOLATED A LEGAL DUTY TO SUPPORT OFFSPRING AND THEREBY THIS COURT IS REQUIRED TO GRANT RELIEF. FOR THE DEFENDANT(S) LACKS SUBJECT MATTER JURISDICTION FRCP RULE 9, RULE 10, RULE 60, RULE 65 - 13

- a. Extension of Time to properly prepare a defense if necessary pursuant to Plaintiff secured right of due process of law.
- b. Expedited Release from the unlawful detainment on personal bail without fee.
- c. Recoupment/Recovery for damages including limited to reasonable attorney fees for the unconstitutional arrest (HUMAN TRAFFICKING) for an alleged debt in violation of the Plaintiffs secured right by the constitutional law of the land. TRAZEVANT v. City of Tampa, 741 F 2d 336 (1984).

I do hereby declare under the penalty of perjury that the contents of the foregoing motion and prayer for Relief is true and correct with the necessary corrections, need there be any.

Dated this 2nd of April, 2023.

BPME

Tebtu Sekhen/Kha Bey, Authorized Rep.
ALL RIGHTS RESERVED:
WITHOUT PREJUDICE

cc. To All Parties.

Enclosed:

1. SCAO mm 200 Felony Set
 - a. Complaint Felony (OMITTED)
 - b. Warrant/Return (OMITTED)
 - c. Affidavit in Support of Warrant (OMITTED)
 - d. ET AL

NOTICE OF EMERGENCY EX PARTE MOTION FOR PERMANENT INJUNCTION AND/OR TEMPORARY RESTRAINING ORDER OR (BOTH) PLAINTIFF/FATHER IS CLAIMING NON-ASSUMPSIT AND THEREBY THE PLAINTIFF DID NOT KNOWINGLY CONSENT TO ESTABLISH A DUTY OF OBLIGATION WITH DEFENDANT(S) THE PLAINTIFF IS CHALLENGING PERSONAL JURISDICTION AND REQUIRES PHYSICAL EVIDENCE SHOWING PROOF OF CLAIM OF THE PLAINTIFF/FATHER WILLFULLY VIOLATED A LEGAL DUTY TO SUPPORT OFFSPRING AND THEREBY THIS COURT IS REQUIRED TO GRANT RELIEF. FOR THE DEFENDANT(S) LACKS SUBJECT MATTER JURISDICTION FRCP RULE 9, RULE 10, RULE 60, RULE 65 - 14